

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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SEP 20 2018

WATER RESOURCES
WESTERN REGION

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, and 42-222, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Application for Permit No. 63-34403 in the Name of Cat Creek Energy, LLC.
2. Name of protestant S Bar Ranch, LLC.
3. Protestant's Representative for service (If different than protestant)
Richard F. Goodson, Dana L. Hofstetter, Hawley Troxell Ennis & Hawley, LLP.
4. Service mailing address P.O. Box 1617, Boise, Idaho 83701-1617.
5. Service telephone no. (208) 344-6000 Email Address: rgoodson@hawleytroxell.com;
dhofstetter@hawleytroxell.com.
6. Basis of protest (including statement of facts and law upon which the protest is based)

There are questions about whether: 1.) The application conforms to applicable legal requirements; 2.) the proposed diversion will reduce the quantity of water under existing water rights; 3.) the water supply is insufficient for the purpose for which it is sought to be appropriated; 4.) the application is made for speculative purposes; 5.) the applicant has sufficient financial resources with which to complete the work involved; 6.) the proposed use will conflict with the local public interest; and 7.) the proposed use is contrary to to the conservation of water resources within the state of Idaho. Protestant reserves the right to identify additional questions/concerns as further information becomes available.
(additional pages may be attached to describe nature of the protest)
7. What would resolve your protest? Appropriate conditions to address the above-described questions/concerns; and/or denial of the application.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 20th day of September, 2018.

S BAR RANCH, LLC

Protestant


Protestant's Representative

W046794
Received by AK